

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-23 are pending in the present application. Claims 1, 3, 4, 6-8 and 13-20 are amended, and Claims 21-23 are added by the present amendment.

The disclosure was objected to, and Claims 1 and 20 were objected to because of informalities. Claims 4, 6-8 and 13 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 1, 2, 11, 12, 15 and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Bush (U.S. Patent No. 6,466,677) in view of Shibayama (U.S. Patent No. 6,233,002). Claim 4 was rejected under 35 U.S.C. § 103(a) as unpatentable over Bush in view of Shibayama and Yoshikawa et al. (U.S. Patent No. 5,847,305, herein "Yoshikawa"). Claim 5 was rejected under 35 U.S.C. § 103(a) as unpatentable over Bush in view of Shibayama and Yu (U.S. Patent No. 5,847,305). Claim 7 was rejected under 35 U.S.C. § 103(a) as unpatentable over Bush in view of Shibayama, Anderson (U.S. Patent No. 5,316,249) and Huffer (U.S. Patent No. 5,499,713). Claim 8 was rejected under 35 U.S.C. § 103(a) as unpatentable over Bush in view of Shibayama and Foster (U.S. Patent No. 5,587,704). Claim 9 was rejected under 35 U.S.C. § 103(a) as unpatentable over Bush in view of Shibayama and Huang et al. (U.S. Patent No. 6,437,837, herein "Huang"). Claims 16-18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Bush in view of Shibayama and Kitao et al. (U.S. Patent No. 6,124,804, herein "Kitao"). Claim 19 was rejected under 35 U.S.C. § 103(a) as unpatentable over Bush in view of Shibayama, Kitao and Holling et al. (U.S. Patent No. 5,378,874, herein "Holling").

Regarding the objection to the disclosure, the Specification is modified in light of the comments noted in the outstanding Office Action. Accordingly, it is respectfully requested this objection be withdrawn.

Regarding the objections to Claims 1 and 20, and the rejections to Claims 4, 6-8 and 13 under 35 U.S.C. § 112, second paragraph, Claims 1, 4, 6-8, 13 and 20 are amended in light of the comments noted in the outstanding Office Action. Accordingly, it is respectfully requested these objections and rejections be withdrawn.

Claims 1, 2, 11, 12, 15 and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Bush in view of Shibayama. That rejection is respectfully traversed.

Amended independent Claim 1 is directed to an audio system that includes a head attachment audio unit and a remote control unit. The head attachment audio unit has a reproduction portion configured to reproduce audio information stored in a memory portion and an output portion configured to output sound according to the reproduced audio information. The remote control unit is configured to transmit a control signal that controls an audio reproduction operation of the reproduction portion of the head attachment audio unit. Amended independent Claim 20 includes similar features as amended independent Claim 1.

In a non-limiting example, Figure 3 illustrates that the audio system includes a remote control unit 3 configured to transmit a control signal 4 that controls an audio reproduction operation of the reproduction portion of the head attachment audio unit (see also the specification at page 7, line 26, to page 8, line 13).

Bush teaches an audio system including a head attachment audio unit and a control unit, but does not disclose a remote control unit. Shibayama teaches a remote control unit having function keys such as a music key that is used to start and end the music reproducing function of an external unit (column 5, lines 52-57). Shibayama, however, does not disclose an audio reproduction operation that is a portion of the head attachment audio unit itself, as required in independent Claims 1 and 20. Instead, Shibayama teaches that a control signal is transmitted through a cord to an external unit, such as a CD player (column 7, lines 53-58).

Therefore, Bush and Shibayama fail to teach or suggest an audio system having a remote control unit configured to transmit a control signal that controls an audio reproduction operation of the reproduction portion of a head attachment audio unit.

Thereby, independent Claims 1 and 20, and the claims dependent therefrom, patentably define over the applied art.

Additionally, the dependent claims of the claimed invention further define over the applied art for additional reasons now discussed. Amended dependent Claim 17 recites that the remote control unit includes a control button configured to implement control of reproduction of the audio information. New dependent Claim 22 includes similar features as amended independent Claim 17. Figures 3 and 9 further illustrate that remote control unit 3 includes operation buttons 12 and transmits a control signal 4 that controls an audio reproduction operation such as play, stop, reverse or fast forward in the head attachment audio unit itself (page 19, lines 1-28, to page 20, lines 1-11, and Figure 9).

Conversely, Bush and Shibayama do not disclose the function of control for an audio reproduction operation. Rather, Shibayama discloses a control signal for a "mode" selection such as communication, music, and telephone (column 6, lines 30-52). Further, Shibayama teaches that the earphone system is equipped with an external unit (portable terminal equipment) as well as a remote control unit (Figures 1 and 2) and that the audio reproduction operations are handled by the external unit wired with the earphone system by a cord (Figure 6). Thus, the audio reproduction operations are not handled by the earphone system itself, but rather externally. Therefore, Bush and Shibayama fail to teach or suggest the function of control for an audio reproduction operation of the head attachment audio unit. Accordingly, the above-noted dependent claims even further distinguish over the applied art.

Addressing each of the further rejections, each of the further rejections is also traversed by the present response as no teachings in any of the further cited references to

Yoshikawa, Yu, Anderson, Huffer, Foster, Huang, Kitao and Holling can overcome the above-noted deficiencies of Bush in view of Shibayama. Accordingly, it is respectfully requested that those rejections be withdrawn for similar reasons as discussed above.

Therefore, it is respectfully submitted that independent Claims 1 and 20, and each of these claims depending therefrom are allowable.

In addition, new Claims 21-23 are added to set forth the invention of varying scope. Applicants submit that the new claims are supported by the originally filed specification. Accordingly, it is respectfully submitted the new claims are allowable.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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